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NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

FOR THE NINTH CIRCUIT

RIGOBERTO JUAREZ,

Petitioner,

v.

ERIC H. HOLDER Jr., Attorney General,

Respondent.

No. 08-73836

Agency No. A075-645-465

MEMORANDUM^{*}

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted September 14, 2009^{**}

Before: SILVERMAN, RAWLINSON and CLIFTON, Circuit Judges.

Rigoberto Juarez, a native and citizen of Mexico, petitions pro se for review of a Board of Immigration Appeals decision dismissing his appeal of the immigration judge's denial of his application for cancellation of removal based on

^{*} This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

^{**} The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

his failure to establish exceptional and extremely unusual hardship to his United States citizen children. We dismiss the petition for review.

We lack jurisdiction to review the agency's discretionary determination that Juarez failed to show exceptional and extremely unusual hardship to a qualifying relative. 8 U.S.C. § 1252(a)(2)(B); *Mendez-Castro v. Mukasey*, 552 F.3d 975, 979 (9th Cir. 2009). Juarez's contentions that the immigration judge failed to properly consider and weigh all evidence of hardship do not raise a colorable due process claim. *Martinez-Rosas v. Gonzales*, 424 F.3d 926, 930 (9th Cir. 2005).

PETITION FOR REVIEW DISMISSED.